

REMARKS

Claims 1–15 were pending in this case. Claims 10-11 and 14-15 have been canceled and claims 1 and 12 have been amended hereinabove. Accordingly, claims 1-9 and 12-13 are now pending. Based upon the following remarks, it is respectfully submitted that these claims are allowable.

Claims 1–15 were rejected under 35 U.S.C. §102(b) or §103(a) as being anticipated or unpatentable, respectively, over *Sako et al.*, U.S. Patent No. 4,819,236 (“*Sako*”). These rejections are respectfully traversed and it is submitted that remaining claims 1-9 and 12-13 are not anticipated by and are patentable over *Sako*.


Independent claims 1 and 12 have been amended hereinabove to emphasize a feature of the presently claimed invention not found, either by disclosure or suggestion, in *Sako*. More particularly, these claims, as well as their respective dependent claims, now expressly recite that the “stored digital transmission signal” is retrieved and frequency up-converted to produce the “reference transmission signal”. The Examiner had cited column 6, lines 5-68, of *Sako* as teaching such “frequency up-conversion”, but it is respectfully submitted that such disclosure of *Sako* is not even remotely similar to the presently recited “frequency up-conversion”. First, in contrast to the presently recited frequency up-converted output signals, the cited portion of *Sako* discusses the digital input signals 31D. Second, the cited portion of *Sako* discusses how such incoming signals may have various sampling rates or data transmission rates. However, such characteristics of an input signal have nothing to do with frequency up-conversion of a baseband signal to provide an output signal such as that done with the presently claimed invention for purposes of providing test signals for complex digital communications systems, e.g., as discussed in paragraphs [00015]-[00029] of the present disclosure.

AMENDMENT D

Claims 1-9 and 12-13 remain pending in this case. Based upon the foregoing remarks, it is respectfully submitted that these claims are allowable, and reconsideration and early allowance of these claims are requested.

Respectfully submitted,
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